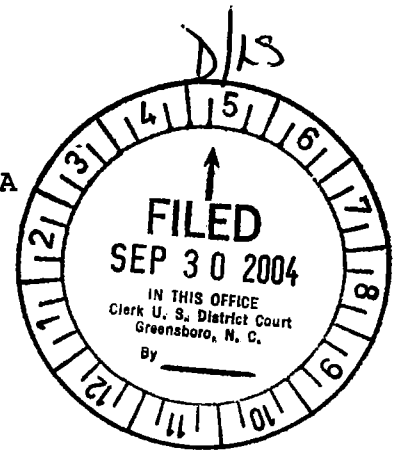


485.

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



CROWN CORK & SEAL COMPANY, INC.  
and CLARK EQUIPMENT COMPANY,

Plaintiffs,

v.

1:99CV00869

CBS CORPORATION, et al.,

Defendants.

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CBS CORPORATION, et al.,

Third-Party Plaintiffs,

v.

INGERSOLL-RAND COMPANY, et al.,

Third-Party Defendants.

J U D G M E N T

For the reasons set out in an Order filed contemporaneously with this Judgment,

**IT IS ORDERED AND ADJUDGED** that plaintiffs' motion to dismiss defendants Cummins Atlantic, Inc., Moss Trucking Company, Inc., Radiator Specialty Company, Inc., and Duke Energy Corporation as defendants from this lawsuit with prejudice, and further, that all claims, including cross-claims arising out of plaintiffs' claims for recovery of their RI/FS costs, RD/RA costs, or any other response costs, against defendants Cummins Atlantic, Inc., Moss Trucking Company, Inc., Radiator Specialty Company, Inc., and Duke Energy Corporation be barred (docket no. 406) is granted, and that the Court, in fact, dismisses all claims and any cross-claims by any party against defendants Cummins Atlantic, Inc., Moss Trucking

Company, Inc., Radiator Specialty Company, Inc., and Duke Energy Corporation with prejudice as a result of their settlement of plaintiffs' claims, and further, that the Court accepts the Uniform Comparative Fault Act proportionate share rule for this case so that plaintiffs' contribution claims against the non-settling defendants will be reduced by the fair shares of defendants Cummins Atlantic, Inc., Moss Trucking Company, Inc., Radiator Specialty Company, Inc., and Duke Energy Corporation.

*September 30*  
~~February~~, 2004

*[Signature]*  
United States District Judge